

MESSAGE NO: 2137304 MESSAGE DATE: 05/16/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: RES-Rescission

FR CITE: 77 FR 25684 FR CITE DATE: 05/01/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): A-549-821

EFFECTIVE DATE: 05/01/2012 COURT CASE #:

PERIOD OF REVIEW: 08/01/2010 TO 07/31/2011

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notification of rescission of administrative review of antidumping duty order on polyethylene retail carrier bags from Thailand (A-549-821)

1. COMMERCE HAS RESCINDED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821) COVERING THE PERIOD 08/01/2010 THROUGH 07/31/2011 FOR THE FIRMS LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE AND FOR THOSE LISTED BELOW IN THE BODY OF THE MESSAGE. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2010 THROUGH 07/31/2011 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY FOR THE FIRMS LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE AND FOR THOSE LISTED IN THE BODY OF THIS MESSAGE. LIQUIDATE ALL ENTRIES FOR THE FIRMS LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS FOR WHICH THERE WAS NO CASE NUMBER IN PLACE FOR THESE COMPANIES DURING THE PERIOD OF REVIEW:

HI-PAK COMPANY, LTD.

NO CASE NUMBER WAS IN PLACE FOR THIS COMPANY DURING THE PERIOD OF REVIEW.

MULTIBAX PUBLIC CO., LTD.

NO CASE NUMBER WAS IN PLACE FOR THIS COMPANY DURING THE PERIOD OF REVIEW.

SOMBATCHAI PLASTIC INDUSTRY, LTD.

NO CASE NUMBER WAS IN PLACE FOR THIS COMPANY DURING THE PERIOD OF REVIEW.

T.S.T. PLASPACK CO., LTD.

NO CASE NUMBER WAS IN PLACE FOR THIS COMPANY DURING THE PERIOD OF REVIEW.

FOR THE COMPANIES LISTED ABOVE, ENTRIES MAY HAVE BEEN MADE UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH PUBLICATION OF THE NOTICE OF RESCISSION OF ADMINISTRATIVE REVIEW (77 FR 25684, 05/01/2012). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES ARE REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT

THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

6. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY O1:CC)

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-549-821-006		M		Apple Film Company, Ltd.
A-549-821-012		M		U. Yong Industry Co., Ltd.
A-549-821-016		E		First Pack Co., Ltd.
A-549-821-017		E		K International Packaging Co., Ltd.
A-549-821-018		M		Landblue (Thailand) Co., Ltd.
A-549-821-019		E		Praise Home Industry, Co. Ltd.
A-549-821-020		E		Siam Flexible Industries Co., Ltd.
A-549-821-021		E		Thai Jirun Co., Ltd.
A-549-821-022		E		Trinity Pac Co. Ltd.